

## Animal and Plant Health Inspection Service, USDA

§ 301.50-4

*Greene County.* The entire county.  
*Huntingdon County.* The entire county.  
*Indiana County.* The entire county.  
*Jefferson County.* The entire county.  
*Lawrence County.* The entire county.  
*McKean County.* The entire county.  
*Mercer County.* The entire county.  
*Potter County.* The entire county.  
*Somerset County.* The entire county.  
*Tioga County.* The entire county.  
*Venango County.* The entire county.  
*Warren County.* The entire county.  
*Washington County.* The entire county.  
*Westmoreland County.* The entire county.

### VERMONT

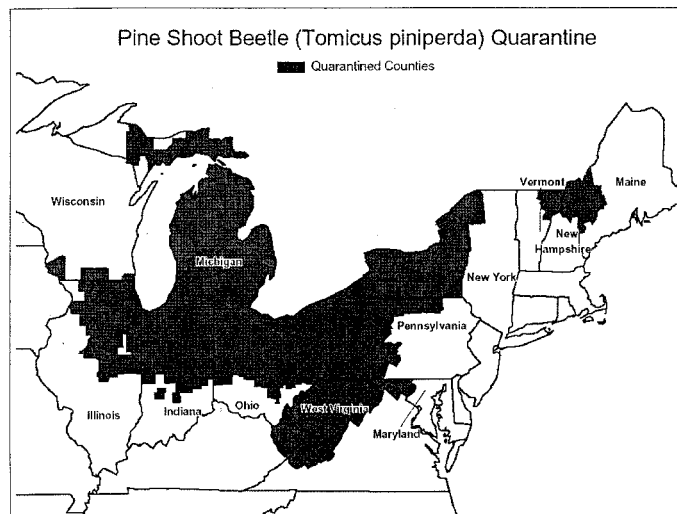
*Caledonia County.* The entire county.  
*Essex County.* The entire county.  
*Orleans County.* The entire county.

### WEST VIRGINIA

The entire state.

### WISCONSIN

*Grant County.* The entire county.  
*Green County.* The entire county.  
*Kenosha County.* The entire county.  
*Rock County.* The entire county.  
 (d) A map of the quarantined areas follows:



[57 FR 54496, Nov. 19, 1992, as amended at 58 FR 6348, Jan. 28, 1993; 58 FR 28335, May 13, 1993; 58 FR 34682, June 29, 1993; 58 FR 63027, Nov. 30, 1993; 59 FR 39939, Aug. 5, 1994; 59 FR 52892, Oct. 20, 1994; 60 FR 2322, Jan. 9, 1995; 60 FR 55779, Nov. 3, 1995; 62 FR 64679, Dec. 9, 1997; 63 FR 25155, May 7, 1998; 64 FR 387, Jan. 5, 1999; 65 FR 37842, June 19, 2000; 66 FR 37403, July 18, 2001; 66 FR 46692, Sept. 6, 2001; 67 FR 41308, June 18, 2002]

### § 301.50-4 Conditions governing the interstate movement of regulated articles from quarantined areas.

Any regulated article may be moved interstate from a quarantined area<sup>2</sup> only if moved under the following conditions:

(a) With a certificate or limited permit issued and attached in accordance

<sup>2</sup>Requirements under all other applicable Federal domestic plant quarantines and regulations must also be met.

with §§ 301.50-5 and 301.50-8 of this subpart;

(b) Without a certificate or limited permit, if:

(1)(i) The regulated article originates outside any quarantined area and is moved through the quarantined area without stopping (except for dropoff loads, refueling, or traffic conditions, such as traffic lights or stop signs) during October, November, or December, or when ambient air temperature is below 10 °C (50 °F); or

(ii) The regulated article originates outside any quarantined area and, during the period of January through September, is moved through the quarantined area at a temperature higher than 10 °C (50 °F), if the article is shipped in an enclosed vehicle or completely covered (such as with plastic, canvas, or other closely woven cloth) so as to prevent access by the pine shoot beetle; and

(2) The point of origin of the regulated article is indicted on the waybill.

(c) With a limited permit issued by the Administrator if the regulated article is moved:

(1) By the United States Department of Agriculture for experimental or scientific purposes;

(2) Under conditions, specified on the permit, which the Administrator has found to be adequate to prevent the spread of the pine shoot beetle; and

(3) With a tag or label, bearing the number of the permit issued for the regulated article, attached to the outside of the container of the regulated article or attached to the regulated article itself, if the regulated article is not in a container.

[57 FR 54496, Nov. 19, 1992, as amended at 58 FR 28335, May 13, 1993]

**§ 301.50-5 Issuance and cancellation of certificates and limited permits.**

(a) A certificate will be issued by an inspector<sup>3</sup> for the interstate movement of a regulated article if the inspector determines that:

(1)(i) The regulated article has been treated under the direction of an inspector in accordance with § 301.50-10 of this subpart; or

(ii) Based on inspection of the premises of origin, if the regulated article is a greenhouse-grown pine (such as bonsai), that the greenhouse is free from the pine shoot beetle and is screened to

prevent entry of the pine shoot beetle; or

(iii) Based on inspection of the regulated article, if the regulated article is a pine seedling or a pine transplant and is no greater than 36 inches high with a bole diameter at soil level of 1 inch or less, that it is free from the pine shoot beetle; or

(iv) Based on inspection by an inspector (branch tip-by-branch tip) of pine nursery stock, that it is free from the pine shoot beetle; or

(v) If the regulated article is a pine log with bark attached or pine lumber with bark attached or a pine stump, that its source tree has been felled during the period of July through October; and

(2)(i) The regulated article will be moved through the quarantined area during October, November, or December, or when the ambient air temperature is below 10 °C (50 °F); or

(ii) The regulated article will be moved through the quarantined area during the period of January through September, if the ambient air temperature is 10 °C (50 °F) or higher, in an enclosed vehicle or completely enclosed by a covering adequate to prevent access by the pine shoot beetle; or

(iii) The pine log with bark attached, pine lumber with bark attached, or pine stump, from a tree felled during the period of July through October, will be shipped interstate from the quarantined area during the period of July through October; and

(3) The regulated article is to be moved in compliance with any additional conditions deemed necessary under section 414 of the Plant Protection Act (7 U.S.C. 7714)<sup>4</sup> to prevent the spread of the pine shoot beetle; and

(4) The regulated article is eligible for unrestricted movement under all other Federal domestic plant quarantines and regulations applicable to the regulated articles.

(b) An inspector<sup>5</sup> will issue a limited permit for the interstate movement of

<sup>3</sup>Services of an inspector may be requested by contacting the local offices of Plant Protection and Quarantine, which are listed in telephone directories. The addresses and telephone numbers of local offices may also be obtained from the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Domestic and Emergency Operations, 4700 River Road Unit 134, Riverdale, Maryland 20737-1236.

<sup>4</sup>An inspector may hold, seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of plants, plant pests, or other articles in accordance with sections 414, 421, and 434 of the Plant Protection Act (7 U.S.C. 7714, 7731, and 7754).

<sup>5</sup>See footnote 3 to § 301.50-5(a).